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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-923

13 **YULIYA Y. PALSSON, AKA**
14 **YULIYA PARKHOMENKO, AKA**
15 **YULIYA Y. PARKHOMENKO, AKA**
16 **YULIYA AGUILERA PARKHOMENKO,**
17 **AKA**
18 **YULIYA Y. PARKHOMENKO**
19 **AGUILERA, AKA YULIYA**
20 **PARKHOMENICO**
21 1851 Hidden Hills Drive
22 Roseville, California 95661

ACCUSATION

23 **Registered Nurse License No. 679079**

24 Respondent.

25 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

26 **PARTIES**

27 1. Complainant brings this Accusation solely in her official capacity as the Executive
28 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

Registered Nurse License

29 2. On or about May 10, 2006, the Board issued Registered Nurse License Number
30 679079 to Yuliya Y. Palsson, also known as Yuliya Y. Palsson, Yuliya Parkhomenko, Yuliya Y.
31 Parkhomenko, Yuliya Aguilera Parkhomenko, Yuliya Y. Parkhomenko Aguilera, and Yuliya

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1 Parkhomenico ("Respondent"). The Registered Nurse License was in full force and effect at all
2 times relevant to the charges brought herein and will expire on June 30, 2013, unless renewed.

3 JURISDICTION

4 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
5 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
6 license, for any reason provided in Article 3 (commencing with Code section 2750) of the
7 Nursing Practice Act.

8 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
9 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
10 to render a decision imposing discipline on the license.

11 5. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a
12 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the
13 period within which the license may be renewed, restored, reissued or reinstated.

14 STATUTORY PROVISIONS

15 6. Code section 2761 states, in pertinent part:

16 The board may take disciplinary action against a certified or licensed nurse or
17 deny an application for a certificate or license for any of the following:

18 (a) Unprofessional conduct. . . .

19 (f) Conviction of a felony or of any offense substantially related to the
20 qualifications, functions, and duties of a registered nurse, in which event the record of
the conviction shall be conclusive evidence thereof.

21 7. Code section 2762 states, in pertinent part:

22 In addition to other acts constituting unprofessional conduct within the meaning
23 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person
licensed under this chapter to do the following:

24 (b) Use any controlled substance as defined in Division 10 (commencing with
25 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous
26 device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner
dangerous or injurious to himself or herself, any other person, or the public or to the
27 extent that such use impairs his or her ability to conduct with safety to the public the
practice authorized by his or her license.

28 (c) Be convicted of a criminal offense involving the prescription, consumption,
or self-administration of any of the substances described in subdivisions (a) and (b) of

1 this section, or the possession of, or falsification of a record pertaining to, the
2 substances described in subdivision (a) of this section, in which event the record of
3 the conviction is conclusive evidence thereof.

4 COST RECOVERY

5 8. Code section 125.3 provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licentiate found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
9 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
10 included in a stipulated settlement.

11 FIRST CAUSE FOR DISCIPLINE

12 (Conviction of a Crime)

13 9. Respondent is subject to discipline under Code section 2761, subdivision (f), in that
14 on or about December 12, 2011, in the case of *People v. Yuliya Y. Palsson* (Superior Court of
15 California, County of Placer (2011), Case No. 62-109917), the court convicted Respondent on her
16 plea of nolo contendere of violating Vehicle Code section 23152, subdivision (a) (driving under
17 the influence of alcohol), a misdemeanor, with a special allegation of Vehicle Code section
18 23538, subdivision (b)(2) (having a blood alcohol level at or in excess of .20%), a crime that is
19 substantially related to the qualifications, functions, or duties of a licensed registered nurse. The
20 circumstances of the crime are that on or about August 6, 2011, Respondent drove a vehicle while
21 having a blood alcohol level of 0.24%. At the time of her arrest, Respondent informed an
22 arresting peace officer that she "curse" all his children with "cancer" and "they will die".
23 Respondent had asked that she be given a blood test, and when Respondent was having her blood
24 tested at the Roseville jail, she resisted the administration of her blood test by the jail
25 phlebotomist and physically resisted, hindered and interfered with peace officers in the
26 performance of their duties.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 (Dangerous Use of Alcohol and Drugs)

3 10. Respondent is subject to discipline under Code section 2761, subdivision (a), on the
4 grounds of unprofessional conduct as defined in Code section 2762, subdivision (b), in that
5 Respondent used alcoholic beverages to an extent or in a manner dangerous or injurious to
6 herself, any other person, or the public, by operating a motor vehicle on or about August 6, 2011,
7 after using alcoholic beverages, as set forth in paragraph 9, above.

8 **THIRD CAUSE FOR DISCIPLINE**

9 (Conviction Involving the Consumption of Alcohol)

10 11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the
11 grounds of unprofessional conduct as defined in Code section 2762, subdivision (c), in that on or
12 about December 12, 2011. Respondent was convicted of a crime involving the consumption of
13 alcohol, as set forth in paragraph 9, above.

14 **PRAYER**

15 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 679079, issued to
18 Yuliya Y. Palsson, also known as Yuliya Y. Palsson, Yuliya Parkhomenko, Yuliya Y.
19 Parkhomenko, Yuliya Aguilera Parkhomenko, Yuliya Y. Parkhomenko Aguilera, and Yuliya
20 Parkhomenico;

21 2. Ordering Yuliya Y. Palsson, also known as Yuliya Y. Palsson, Yuliya Parkhomenko,
22 Yuliya Y. Parkhomenko, Yuliya Aguilera Parkhomenko, Yuliya Y. Parkhomenko Aguilera, and
23 Yuliya Parkhomenico, to pay the Board of Registered Nursing the reasonable costs of the

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1 investigation and enforcement of this case, pursuant to Business and Professions Code section
2 125.3; and,

3 3. Taking such other and further action as deemed necessary and proper.

4 DATED:

APRIL 18, 2013

for Louise R. Bailey
for LOUISE R. BAILEY, M.E.D., R.N.

Executive Officer
Board of Registered Nursing
State of California
Complainant

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